

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3861 of 2022

Padi @ Pradeep Naik

....

Petitioner

Mr. Anirudha Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

18.05.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Motonga P.S. Case No.31 of 2022, corresponding to G.R. Case No.198 of 2022, pending in the file of learned S.D.J.M., Dhenkanal, for commission of alleged offences under Sections 457/394 of I.P.C.
3. Heard learned counsel for both the parties. Perused the FIR, Case Diary and statement of witnesses.
4. Learned counsel for the Petitioner submits that Petitioner is languishing in jail custody since the date of his arrest, i.e. 07.04.2022. It is further submitted that police after completion of investigation has filed charge-sheet against the Petitioner. The FIR allegation is shaky in nature and there is no convincing,

clinging and unimpeachable legal material available against the present Petitioner in the alleged crime and the present Petitioner is arrayed as an accused on the basis of confessional statement made by the co-accused person. It is also submitted that Petitioner is ready and willing to abide by any terms and conditions as fixed by this Hon'ble Court in the event of bail.

5. Learned counsel for the State vehemently objects the prayer for bail of the Petitioner on the ground that he is involved in serious offences. Therefore, no leniency should be shown to the Petitioner. Accordingly, he prays for rejection of his bail application.

6. Having regard to the facts and circumstances of the case, considering the nature and gravity of offences alleged and the period of detention of the Petitioner, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one solvent surety for the like amount to the satisfaction of the learned court in seisin of the matter subject to the terms and conditions as deem fit and proper by the trial court including one condition that the Petitioner will appear before the local police station once in a week, till end of trial and cooperate in the trial of the case.

7. With the above direction, the BLAPL is accordingly allowed.

8. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge